

Debtors Amendment Act 2014
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WHEREAS it is expedient to amend the Debtors Act 1973 to end, the discretion of the Court to order committal to prison for non payment of judgment debts:

Be it enacted by The Queen's Most Excellent Majesty, by and with the advice and consent of the Senate and the House of Assembly of Bermuda, and by the authority of the same, as follows:

1 Short Title

- (1) This Act may be cited as the Debtors Amendment Act 2014
- (2) In this Act, “the principal Act” means the Debtors Act 1973

2 Amends Section 2

Section 2 of the principal Act is amended by deleting of the section in its entirety.

3 Amends Section 3

Section 3 of the principal Act is amended by deleting of the section in its entirety.

4 Amends Sections 6 and 7

Sections 6 and 7 of the principal Act are amended by deleting of the sections in their entirety.

5 Commencement

This Act comes into operation when it receives the Governor's assent.

The Debtors Bermuda Amendment Bill 2014
Explanatory Memorandum

This Opposition Bill Amends the Debtors Act 1973 (“the principal Act”) by the deletion of Section 2 Imprisonment for Debt and Section 3 Judgment debt; committal for default in payment. The Bill makes consequential amendments removing all references in the principle Act to committal to prison in sections 6 and 7 of the principle Act. The Bill also applies the general principle mandated in section 55 of the Criminal Code that a court shall apply the principle that a sentence of imprisonment should only be imposed after consideration of all sanctions other than imprisonment that are authorized by law.